

1 COX, WOOTTON, GRIFFIN,
2 HANSEN & POULOS, LLP
3 Gregory W. Poulos (SBN 88390)
4 Max Lee Kelly (SBN 205943)
5 190 The Embarcadero
6 San Francisco, California 94105
7 Telephone No.: (415) 438-4600
8 Facsimile No.: (415) 438-4601
9 gpoulos@cwghp.com
10 mkelly@cwghp.com

11 Attorneys for Plaintiff
12 Valerie Shipping Inc.

CHAMBERS COPY

E-filing

RECEIVED
FEB 26 2011
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDL
JSW

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CV 11 0911

12 VALERIE SHIPPING INC.,)

Case No.:

13 Plaintiff,)

[PROPOSED] ORDER FOR
ISSUANCE OF PROCESS OF
MARITIME ATTACHMENT
AND GARNISHMENT

14 v.)

F.R.C.P. SUPPLEMENTAL
ADMIRALTY RULE B]

15 KOREA LINE SINGAPORE PTE,)
16 LTD.)

17 Defendant.)

24 WHEREAS, on February 25, 2011, the Plaintiff VALERIE SHIPPING
25 INC. ("Valerie" or "Plaintiff"), by and through its counsel of record, filed a
26 Verified Complaint, seeking attachment of all tangible and intangible property
27 in whatever form within this District, including any such property held by any
28 garnishee, which are owned by or due and owing to the Defendant KOREA

1 SHIPPING SINGAPORE PTE LTD. ("Korea Shipping" or "Defendant"),
2 including, but not limited to the vessel BLUE JADE and all of its equipment,
3 stores, goods, oils, machinery, provisions and appurtenances in the amount of
4 \$699,561.81 pursuant to Rule B of the Supplemental Rules for Admiralty or
5 Maritime Claims and Asset Forfeiture Actions; and

6 WHEREAS, the Process of Maritime Attachment and Garnishment
7 would command the U.S. Marshal or other designated process server to attach
8 any and all of the Defendant's property within the District of this Court; and

9 WHEREAS, the Court has reviewed the Plaintiff's Verified Complaint
10 for Maritime Attachment and the Declaration of Max Lee Kelly filed
11 concurrently herewith and finds that the conditions for a maritime attachment
12 and garnishment pursuant to Rule B of the Supplemental Rules for Admiralty
13 or Maritime Claims and Asset Forfeiture Actions appear to exist this 25th day
14 of February, 2011, by the United States District Court for the Northern
15 District of California;

16 It is hereby, ORDERED, that the Clerk shall issue Process of Maritime
17 Attachment and Garnishment against all tangible or intangible property
18 belonging to, or claimed by or being held for the Defendant by any garnishees
19 within this District, including, but not limited to the vessel BLUE JADE and
20 all of its equipment, stores, goods, oils, machinery, provisions and
21 appurtenances up to the amount prayed for in the Verified Complaint pursuant
22 to Rule B of the Supplemental Rules for Admiralty or Maritime Claims and
23 Asset Forfeiture Actions; and it is further

24 ORDERED, that the Defendant is to allow a gauger and/or marine
25 engineer access to the Vessel, its tanks, spaces, and records, for purposes of
26 determining the amount of fuel and diesel oil on board the vessel M/T BLUE
27 JADE; and it is further

28 ORDERED, that the Plaintiff notify the Defendant that an attachment

against it has commenced which it is required to defend; and it is further ORDERED, that any person claiming an interest in the property attached or garnished pursuant to this Court's Order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show cause why the maritime attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED, that supplemental process specifying other or additional property and/or garnishee enforcing this Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further

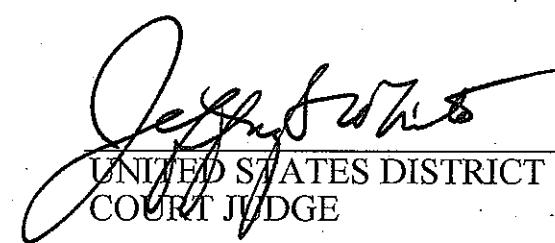
ORDERED, that following initial service by the U.S. Marshal or other designated process server upon each garnishee, supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Court's Order, may be made by way of facsimile transmission or e-mail; and it is further

ORDERED, that service on any garnishee as described above is deemed continuous throughout the day, from the time of such service through the opening of the garnishee's business the next business day; and it is further

ORDERED, that pursuant to Federal Rules of Civil Procedure Rule 5(b)(2)(F), each garnishee may consent, in writing, to accept service by any other means; and it is further

1 ORDERED that a copy of this Order be attached to and served with
2 each Process of Maritime Attachment and Garnishment issued by the Clerk.
3
4

5 DATED: February 25, 2011


6 UNITED STATES DISTRICT
7 COURT JUDGE
8
9

10 Presented by:
11

12 COX, WOOTTON, GRIFFIN,
13 HANSEN & POULOS, LLP
14 Attorneys for Plaintiff
15 VALERIE SHIPPING INC.

16 By: 
17 Gregory W. Poulos
18
19
20
21
22
23
24
25
26
27
28